



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

**CORRECTED
NOTICE OF ALLOWANCE AND FEE(S) DUE**

68303 7590 05/22/2008

PAUL H. HORSTMANN
1555 VINE STREET
#564
LOS ANGELES, CA 90028

EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 05/22/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,534	06/25/2003	Alexandre Bronstein	BRONSTEIN.001	4130

TITLE OF INVENTION: DEFENDING AGAINST UNWANTED COMMUNICATIONS BY STRIKING BACK AGAINST THE BENEFICIARIES OF THE UNWANTED COMMUNICATIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	00/00/0000

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. NEITHER A NOTICE OF ALLOWANCE NOR A CORRECTED NOTICE OF ALLOWANCE IS A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND ANY PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THE THREE MONTH PERIOD BEGINNING ON THE MAILING DATE OF THE PREVIOUSLY-MAILED NOTICE OF ALLOWANCE AND ENDING ON THE DATE DUE SHOWN ON THIS FORM, OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. MAILING OF THIS CORRECTED NOTICE OF ALLOWANCE DOES NOT CHANGE THE DATE DUE OF THE ISSUE FEE (AND ANY REQUIRED PUBLICATION FEE). IF A REPLY (WITH PAYMENT OF THE ISSUE FEE AND ANY PUBLICATION FEE) WAS FILED IN RESPONSE TO THE PREVIOUSLY-MAILED NOTICE OF ALLOWANCE, THEN NO FURTHER REPLY IS REQUIRED FROM APPLICANT.

All communications regarding this application must include the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE, unless advised to the contrary.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,534	06/25/2003	Alexandre Bronstein	BRONSTEIN.001	4130
68303	7590	05/22/2008	EXAMINER	
PAUL H. HORSTMANN 1555 VINE STREET #564 LOS ANGELES, CA 90028			NGUYEN, DAVID Q	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 05/22/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 153 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 153 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney Paul H. Horstmann (Reg. 36,167) on Nov. 07, 2007.
3. The application has been amended as follows:

Claims 3 and 24 have been cancelled.

Claims 1, 21 and 26 have been amended as follows:

Claim 1 (Currently Amended): A method for defense against an unwanted communication, comprising:

identifying a communication channel to a beneficiary of the unwanted communication by examining a content of the unwanted communication wherein the beneficiary is not a sender of the unwanted communication;

maintaining a set of information pertaining to the beneficiary and determining a set of strike back parameters in response to the information;

striking back repeatedly against the beneficiary by sending a communication via the communication channel to the beneficiary in accordance with the strike back parameters.

Art Unit: 2617

Claim 21 (Currently Amended): A defense coordinator that obtains an identify request from a recipient of an unwanted communication and that in response identifies a communication channel to a beneficiary of the unwanted communication by examining a content of the unwanted communication wherein the beneficiary is not a sender of the unwanted communication and that performs a strike back against the beneficiary by sending a communication via the communication channel to the beneficiary wherein the defense coordinator maintains a set of information pertaining to the beneficiary and determines a set of strike back parameters in response to the information and repeatedly performs the strike back in accordance with the strike back parameters.

Claim 26 (Currently Amended): A distributed strike back system, comprising:
recipient system of an unwanted communication;
defense coordinator that obtains an identify request from the recipient system and that in response determines a set of strike back parameters that identify a communication channel to a beneficiary of the unwanted communication by examining a content of the unwanted communication wherein the beneficiary is not a sender of the unwanted communication and that sends the strike back parameters to the recipient system such that the recipient system performs a strike back against the beneficiary by sending a communication via the communication channel to the beneficiary wherein the defense coordinator maintains a set of information pertaining to the beneficiary and determines the strike back parameters in response to the information and the recipient system repeatedly performs the strike back in accordance with the strike back parameters.

Allowable Subject Matter

4. Claims 1-2,4-9,21-23 and 25-31 are allowed.

Regarding independent claims 1,21 and 26, the claim has been amended to overcome the prior arts. The closest prior arts, Goodman. et al. (US 2005/0021649 A1), Jaffe (New Plan for Spammers: Charge ‘Em, Wired News, 12-10-02) and Fahlman (Selling Interrupt Rights: A Way to control Unwanted e-mail and Telephone Calls, IBM Systems Journal, vol. 41, no. 4, 2002, pp. 759-766) teach a method for defense against an unwanted communication, comprising identifying a communication channel to a sender of the unwanted communication by examining a content of the unwanted communication and striking back against the sender by sending a communication via the communication channel to the sender in accordance with the strike back parameters. However, the above prior arts of record, either singularly or in combination, fail to disclose or render obvious identifying a communication channel to **a beneficiary of the unwanted communication** by examining a content of the unwanted communication, wherein the beneficiary is not a sender of the unwanted communication, as combined with other limitations.

Claims 2,4-9 depend on claim 1. Therefore, They are allowed.

Claims 22-23 and 25 depend on claim 21. Therefore, They are allowed.

Claims 27-31 depend on claim 26. Therefore, They are allowed.

Conclusion

Art Unit: 2617

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Q Nguyen/
Primary Examiner, Art Unit 2617